

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Alain Cadieux

Appl. No. : 09/475,072

Filed : December 30, 1999

Title : USE OF CALCITONIN GENE-RELATED PEPTIDE IN THE
PREVENTION AND ALLEVIATION OF ASTHMA AND
RELATED BRONCHOSPASTIC PULMONARY DISEASE

Grp. Art Unit : 1644

Examiner : Patrick Nolan

Docket No. : 032931-0218

DECLARATION PURSUANT TO 37 CFR 1.131

Honorable Commissioner for Patents
Washington, DC 20231

Sir:

I, Alain Cadieux, Ph.D., resident of Rock Forest, Quebec, Canada, being duly sworn, declare that the following statements are within my knowledge and are true:

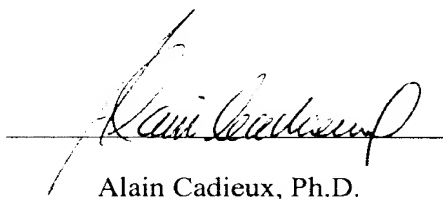
1. I am first author of the article "Bronchoprotector Properties of Calcitonin Gene-related Peptide in Guinea Pig and Human Airways", *Am. J. Respir. Crit. Care Med.*, **159**: 235-243, 1999 (hereafter referred to as "the article"). Other co-authors of the article are Nathalie P. Monast, François Pomerleau, Alain Fournier and Chantal Lanoue.

2. I am the sole inventor of the subject matter disclosed in the article. Co-authors Nathalie P. Monast, François Pomerleau, and Chantal Lanoue have worked as students in my laboratory and Alain Fournier is an Institut National de la Recherche Scientifique (INRS) researcher in Montreal. With regard to the studies which resulted in the subject

matter disclosed in the article, Nathalie P. Monast's and François Pomerleau's roles were limited to executing *in vivo* experiments under my instruction on anaesthetised guinea pigs, Chantal Lanoue's role was limited to executing *in vitro* experiments under my instruction on isolated airways, and Alain Fournier's role was limited to providing the peptides utilized in these studies. Nathalie P. Monast, François Pomerleau, Alain Fournier and Chantal Lanoue did not contribute to the conception and design of the studies which resulted in the subject matter disclosed in the article and claimed in the above-mentioned U.S. patent application.

3. I hereby declare that all statements made herein are of my own knowledge, are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Declared this 18 day of March, 2002.



Alain Cadieux, Ph.D.